

## § 51.1855

## 7 CFR Ch. I (1–1–09 Edition)

### Subpart—United States Standards for Fresh Tomatoes<sup>1</sup>

SOURCE: 38 FR 23932, Sept. 5, 1973, unless otherwise noted. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981.

#### GRADES

##### § 51.1855 U.S. No. 1.

“U.S. No. 1” consists of tomatoes which meet the following requirements:

- (a) Basic requirements:
  - (1) Similar varietal characteristics;
  - (2) Mature;
  - (3) Not overripe or soft;
  - (4) Clean;
  - (5) Well developed;
  - (6) Fairly well formed; and,
  - (7) Fairly smooth.
- (b) Free from:
  - (1) Decay;
  - (2) Freezing injury; and
  - (3) Sunscald.
- (c) Not damaged by any other cause.
- (d) For tolerances see § 51.1861.

##### § 51.1856 U.S. Combination.

“U.S. Combination” consists of a combination of U.S. No. 1 and U.S. No. 2 tomatoes: *Provided*, That at least 60 percent, by count, meet the requirements of U.S. No. 1 grade.

- (a) For tolerances see § 51.1861.

##### § 51.1857 U.S. No. 2.

“U.S. No. 2” consists of tomatoes which meet the following requirements:

- (a) Basic requirements:
  - (1) Similar varietal characteristics;
  - (2) Mature;
  - (3) Not overripe or soft;
  - (4) Clean;
  - (5) Well developed;
  - (6) Reasonably well formed; and,
  - (7) Not more than slightly rough.
- (b) Free from:
  - (1) Decay;
  - (2) Freezing injury; and,
  - (3) Sunscald.

<sup>1</sup>Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

- (c) Not seriously damaged by any other cause.

- (d) For tolerances see § 51.1861.

##### § 51.1858 U.S. No. 3.

“U.S. No. 3” consists of tomatoes which meet the following requirements:

- (a) Basic requirements:
  - (1) Similar varietal characteristics;
  - (2) Mature;
  - (3) Not overripe or soft;
  - (4) Clean;
  - (5) Well developed; and,
  - (6) May be mishapen.
- (b) Free from:
  - (1) Decay; and,
  - (2) Freezing injury.
- (c) Not seriously damaged by:
  - (1) Sunscald.
- (d) Not very seriously damaged by any other cause.
- (e) For tolerances see § 51.1861.

#### SIZE

##### § 51.1859 Size.

(a) The size of tomatoes packed in any standard type shipping container shall be specified and marked according to one of the size designations set forth in Table I. Individual containers shall not be marked with more than one size designation. Consumer packages and their master container are exempt; however, if they are marked, the same requirements would apply.

(1) When containers are marked in accordance with Table I, the markings on at least 85 percent of the containers in a lot must be legible.

(2) In determining compliance with the size designations, the measurement for minimum diameter shall be the largest diameter of the tomato measured at right angles to a line from the stem end to the blossom end. The measurement for maximum diameter shall be the smallest dimension of the tomato determined by passing the tomato through a round opening in any position.

(b) In lieu of marking containers in accordance with paragraph (a) of this section or specifying size in accordance with the dimensions defined in Table I, for Cerasiforme type tomatoes commonly referred to as cherry tomatoes